

1/4/02

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

**ROANOKE CALENDAR - JANUARY 7, 2002**

(The Honorable William F. Stone Jr Presiding)

(Start \_\_\_\_\_ Recess \_\_\_\_\_ // \_\_\_\_\_ Stop \_\_\_\_\_ Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_)

**Attys:**

**Debtors:**

**Case Nos.:**

**Trustees:**

**9:30 A.M. - CHAPTER 13 PLAN CONFIRMATIONS**

Delafield	LUTHER & PEGGY DUNBAR-chl3 Contd from bench 12/17 trustee's showcause motions pending review of mod plan filed in court 12/17 (notice to creditors waived by court; no adverse effect) -trustee may tender conf. ord prior to hearing IF recommend	7-01-04196	Connelly/JJ
Katt	HENRY & KELLEY SHELL Mod Plan filed 10/5; d/e # 66, 67 <b>contd from 11/28 *</b> <b>Objection:</b> City of Roanoke (Collins) d/e # 76 filed 11/16 *appearance of debtors waived IF obj resolved & trustee can recommends conf - <b>Notice of withdrawal by City of Roanoke to obj to plan filed 12/17, d/e # 81</b>	7-97-01212	Connelly/SJ
Moses	JIMMY ROGERS-chl3 Plan filed 10/24; d/e # 12 Objection of Trustee, report and motion to showcause: Dismissal; filed 12/7 d/e # 16	7-01-04479	Connelly/NS
P Brown	WILBERT BANNISTER-chl3 Plan filed 10/22, d/e # 6 Objection of Trustee, report and motion to showcause: Dismissal; filed 12/7 d/e # 16	7-01-04504	Connelly/JM
Ludwig	FREDDIE SHEPHERD, JR.- Ch. 13 Plan filed 8/31, d/e # 6 <b>Objection:</b> Trustee w/Report and Show Cause on Dismissal [#14] -contd from 11/28 (dbtr moved to Seattle WA) arrears \$17.00 on 11/28	7-01-03780	Connelly/AF

**9:30 A.M. - CHAPTER 13 PLAN CONFIRMATIONS**

M. Hart      MICHAEL & ANITA BYRD - Ch. 13      7-01-03915      Connelly/MC  
*conf ord ten.*  
*12/21\**      Plan filed 9/10; d/e # 6 **contd plan, objs & Mot to Distr from 11/28** for bank to  
obtain appraisal on vehicle  
**Objection:** First Citizens Bank (Zimm) filed 10/12, d/e # 13  
Trustee's Report OBJECTION and showcause on dismissal filed 11/20, d/e # 20  
Trustee's Report OBJECTION and showcause on dismissal filed 12/10, d/e # 26

?.....Debtors' counsel filed Motion for Distribution for payment of balance owed counsel  
in amount of \$1,000 from return of payments by Trustee to Debtor [#15]

***\*proposed consent ord also tendered to determine value of collateral of Schewel Furn. Co.***

M Hart      RONALD & BELVA FORBES-chl3      7-01-04339      Connelly/PR  
Plan filed 10/31, d/e # 14  
(*Ord of 12/13 set aside dismissal, reinstated case*)  
**Objection:** Bank of Botetourt (J.Patterson)  
IRS (Eckert) filed 12/26, d/e # 27  
  
Objection of Trustee, report and motion to showcause: Dismissal; filed 12/7 d/e # 21  
Objection of Trustee, report and motion to showcause: Dismissal; filed 12/17 d/e # 24  
Objection of Trustee, report and motion to showcause: Dismissal; filed 12/28 d/e # 31

*(note: relief Mot. By Bk of Botetourt scheduled on 1/22 @ 11:00)*

M Hart`      TERESA HONAKER-chl3      7-01-04430      Connelly/PR  
,      Plan filed 10/16, d/e # 6  
Objection of Trustee, report and motion to showcause: Dismissal; filed 12/7 d/e # 17  
**Objection:** G.W. & Bonnie Durling (Callahan) filed 12/12, d/e # 18  
  
Motion for valuation: Roanoke Co. Schools FCU; \$4384.64 filed 11/14, d/e # 14  
**-Order 1/4 fixing value at \$3,000 (secured)**

Shelor      AMANDA HURLEY      7-01-04356      Connelly/.JJ  
Plan (filed 10/26; d/e # 13) no certif. Of service filed  
(*Certificate of Service to all creditors & parties filed 11/9*)  
**Objection:** Grand Home Furnishings (Dunn)  
**Objection** of Trustee, report and motion to showcause: Dismissal; filed 12/7 d/e # 20

**9:30 A.M. - CHAPTER 13 PLAN CONFIRMATIONS**

Shelor HENRY & MELINDA MILLS 7-01-03739 Connelly/PR  
Mod Plan filed 11/13, d/e # 17, 21

Delafield LILLIAN KING-chl3 7-01-03419 Connelly/JM  
Mod Plan filed 11/2, d/e # 28, 29

Motion of Trustee to dismiss with prejudice contd from 10/29 to hear w/mod plan  
d/e # 14, (also tr mots pending filed 9/17, d/e # 16, and 10/10, d/e # 22)

Mot of Debtor for Distribution contd from 10/29 to hear w/mod plan, filed 10/16, d/e#23

M.Hart	JACQUELENE JOYCE - Ch. 13 Mod. Plan filed 11/9 [#38, 39]	7-99-02243	Connelly/PR
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Motion to Incur Debt to purchase replacement vehicle, filed 11/13 ; contd fr 11/28

Motion #3: Relief filed 12/10, d/e # 48, 49  
Wachovia Bank NA successor to Wachovia Mortgage Co (Wade) v. debtor  
–Answer filed 12/17, d/e # 52

see also Mod Plan @11:00 filed in case #98-2349, Clyde Tedder, to hear w/Trustee's Motion to Dismiss

## 11:00 A.M. - MISCELLANEOUS HEARINGS

M Giles	CLYDE TEDDER-chl3	7-98-02349	Connelly/S
	Motion of Trustee to Dismiss case filed 11/19, d/e # 44		

Mod Plan filed 11/19 with Response to Trustee's Motion , d/e # 45, 46, 47

**11:00 A.M. - MISCELLANEOUS HEARINGS**

Delafield      SHIRLEY CARLISLE-chl3      7-00-04205      Connelly/MC  
Motion of Debtor to Terminate Wage Deduction Order to Blue Ridge Community  
Services, d/e # 16 (2/2/01) and d/e # 48 filed 12/6

Krippendorf      STEVEN BOOTH-chl3      7-97-02660      Connelly/JJ  
Motion to quash garnishment of wages by Roanoke City General District Court  
at East Coast Metal Distr. In favor of Carilion Med. Ctr. , d/e # 41, 44

M Giles      LARRY ST CLAIR-chl3      7-01-02333      Connelly/PR  
Obj to Claim #9: John Deere Credit, d/e # 21, filed 10/12 **contd from 11/28 to  
for service on registered agt**

Proctor      PAULA ALLEN-chl3      7-98-04254      Connelly/MC  
Motion of Trustee to dismiss case filed 11/19, d/e # 34

Krippend.      BARBARA JONES-chl3      7-96-02442`      Connelly/SJ  
Motion of Trustee to dismiss case filed 11/19, d/e # 59  
(Pmts in default in amt of \$2890.93)

Katt      DANNY & MARIE KEEN-chl3      7-99-00172      Connelly/SJ  
Mot of Trustee to dismiss case filed 11/19, d/e # 34, in default in  
amt of \$1360

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## 11:00 A.M. - MISCELLANEOUS HEARINGS

Krippendorf EMENTRESS TANKS-chl3 7-99-02245 Connelly/MC  
Motion of Trustee to dismiss case filed 11/19, d/e # 36

H.Brown	GARY RUSHBROOKE - chl3	7-97-03669	Connelly/JJ
P Brown	MISTY RUSHBROOKE, joint debtor		
	Motion of Trustee to dismiss case filed 11/19, d/e # 86		
	<b>—ORDER of 12/28, d/e # 87, withdrew trustee's motion</b>		

P Brown	MELISSA FOLEY-chl3	7-99-03157	Connelly/NS
	Motion of Trustee to dismiss case, filed 11/19, d/e # 23		

M Hart	OLDEN & DARLINE GREEN-chl3	7-97-02985	Connelly/MC
	Motion of Trustee to dismiss case filed 11/19, d/e # 29		

M Giles	POLLY VINCENT-chl3	7-99-03877	Connelly/NS
Motion of Trustee to dismiss case filed 11/19, d/e # 33			

M Giles	DORIS ORTT-chl3	7-98-01167	Connelly/NS
Motion of Trustee to dismiss case filed 11/19, d/e # 22			

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**11:00 A.M. - MISCELLANEOUS HEARINGS**

M Giles      KEITH & AMBER PERRIN-chl3      7-97-04011      Connelly/VS  
Motion of Trustee to dismiss case filed 11/19, d/e # 20  
**–Motion of Debtors to continue trustee’s showcause motion to next available date  
Filed 12/6, d/e # 21**

Delafield      ELIZABETH MEADE-chl3      7-00-02459      Connelly/MC  
Mot of trustee to showcause why case should not be dismissed or converted  
filed 8/10; d/e # 53 contd fro 9/10 & 10/15

P Brown      JULIA SHORT-chl3      7-00-04054      Connelly/MC  
Motion of Debtor to Aprove Postpetition consumer debt & shorten required notice  
Filed 11/19, d/e # 47  
**–Agreed Order tendered 12/28 ; O/E 1/2/02**

R Foster      DARRICE PRICE-chl3      7-00-02460      Connelly/JJ  
Motion #2: Relief - Co-Debtor Stay , filed 11/7; d/e # 26, 27  
Equicredit Corp of Va. (Zimm) v. debtor & Darlene P. Waldren, co-debtor  
and trustee

Delafield      ANTWINE LEE-chl3      7-98-02158      Connelly/AF  
Motion of Counsel (D.Delafield) for compensation and reimbursement of expenses  
in amt of \$408.75, filed 11/30; d/e # 36

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**11:00 A.M. - MISCELLANEOUS HEARINGS**

Delafield	ODELL & KELLEY DREW-ch13	7-01-04023	Connelly/PR
	Motion of Debtor by counsel for Distribution pursuant to §1326(a)(2) for order to deduct \$1,000 from return of payments by trustee to Debtor (absent response in 20 days, default order ( <i>proposed ord in file</i> ) shall be entered without further notice or hearing		

Delafield	JAMES PATTEN-ch13	7-00-00109	Connelly/JM
	Motion #5: Relief - filed 12/10; d/e # 52 & 53 Firstar Bank NA (Bryant) v. debtor & trustee		

Krippend.	JAMES & LISA RANSOM-ch7	7-01-00060	Krippendorf/JJ
	Motion #3: Relief - filed 12/10; d/e # 62 EMC Mortgage Corp (Clarke) v. debtors & trustee <b>—contd from 1/7 to add ch. 7 trustee as party pursuant to conversion</b>		

Krippendorf	THOMAS & KATHY HODGES-ch7	7-01-05059	Allen/MC
	Motion #1: Avoid lien, filed 12/7; d/e # 11, 12 Debtors v. Citifinancial Services Inc <b>—Default Order entered 12/28</b>		

M Hart	ERNEST & KAREN RUSSELL-ch13	7-01-04223	Connelly/PR
	Motion #2: relief - filed 12/10; d/e # 21, 22, 23 First Union Natl Bk fka First Union Home Equity Bank NA (Wood) v. debtors <u>—agreed ord. Circulating (to be tendered by S.Wood)</u>		

P Brown	FRANKLIN & ELLEN MULLIKIN -Ch13	7-01-04266	Connelly/JJ
	Motion to Approve Sale of Real Estate Free & Clear of Liens filed 12/18, d/e # 25		

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**2:00 P.M. -PRE- TRIALS**

S.Proctor GRACE TATE-ch13 7-01-04138 Connelly/SO  
 A/P 7-01-00160: Det. Vallidity priority or extent of lien or other interest in property  
 Debtor v. Pacesetter Products Inc dba Federal Diversified Services) and  
 Rebecca Connelly, Trustee ( ) deed of trustee trustees (2)?? Names  
 – **AP amended; d/t Trustees added as parties & Summons re-issued for 2/4 @ 2:00**

Sapp JAMES WARREN - Ch. 7 7-01-03713 McLean/JM  
 A/P 7-01-00164: Determine dischargeability of debt; final ptc  
 Janice Warren (Norfleet) v. Debtor, Trustee & Salem Va. Medical Center  
 Federal Credit Union ( )

**2:00 P. M. - MISCELLANEOUS HEARINGS**

Bowman SHIRLEY THOMAS - Ch. 13 7-01-02215 Connelly/MC  
 Debtor's Objection to Claim #1 of CitiFinancial  
 –**contd fr 1/7 for new notice**

Delafield PATRICIA ANDERSON-ch7 7-01-03048 Krippendorf/AF  
 Obj of Trustee to Debtor's Claim of Exemptions, filed 12/3; d/e # 29  
Answer filed by debtor 12/21, d/e # 30

Krippendorf THOMAS FITZGERALD-ch7 7-01-04168 McLean/AF  
 Motion of Debtor for Redemption re: Household Retail Services Inc. Filed 12/3; d/e #16  
 (Amended Mot for Redemption filed 12/10; d/e # 17 )

Krippend. GAIL HARWOOD-ch7 7-01-03974 Vogel/NS  
 Motion for Redemption : Debtor v. Hurley State Bank filed 12/7; d/e # 13; d/e # 15  
 (Amended Notice filed 12/13 to correct hearing date) d/e # 16  
 - --contd fr 1/7 for service under R7004(h)

M Giles MARVIN YOUNG SR-ch7 7-01-01890 McLean/LM  
 Motion (filed 12/14) to Reopen Case; Defer Filing Fee and  
 Motion #1: Sell Property Free & Clear of Liens; Trustee v. Debtor, d/e#16,17, 18  
 –ord of 12/18 deferred filing fee only; Motion #1 to be heard

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**2:00 P.M. - MISCELLANEOUS HEARINGS**

Chambers TIMOTHY LYNN WADE-ch7 7-01-03918 Krippendorf/AF  
 Motion #1: Relief - filed 12/12, d/e # 17, 18  
 Litton Loan Servicing Inc. (Clarke) v. debtor



Krippend.      MICHAEL & JUDY FERGUSON-ch7      7-00-03289      McLelan/AF  
Motion of Debtors to Convert from Chapter 7 to Chapter 13 d/e # 37, 38 filed 12/03  
(Deficiency : failure to file Motion to Retain or Waive Previous Ch 7 Discharge) d/e#39  
**ORD of 12/13 granted debtor Motion to Waive benefit of Ch 7 Discharge**  
**and cancelled hearing** (File to Intake 12/13 to convert case)

Bowman      CHRISTOPHER PETTY-ch7      7-01-0385      Vogel/MC  
Motion of U. S. Trustee (Garber) to Dismiss case filed 12/7; d/e # 13

Krippend.      JAMES & MICHELLE NOEL-ch13      7-99-03199      ConnellyS  
Motion #1: Relief - filed 11/19, d/e # 19, 20; contd from 12/17  
Wells Fargo Home Mortgage In c(Sasser/McLean) v. debtors & trustee

Ludwig      JENNIFER HAYSLETT-ch7      7-01-04656      Krippend./JJ  
Motion #1: Relief - filed 12/17; d/e # 11, 12, 13  
First Citizens Bank (Zimm      ) v. debtor & trustee

**2:30 P.M. -MISCELLANEOUS HEARINGS**

Allen      SPANKY'S GANG, LLC - Ch. 11      7-01-01398      DIP/AF  
Disclosure Statement filed 11/8 [#43, 45]  
**Objection:** U. S. Trustee (Garber) filed 12/26, d/e # 48

**3:00 P.M. - TRIAL**

Delafield      JOYCE REAVIS-ch7      7-01-00906      Callahan/SO  
A/P 7-01-00082: Det. Dischargeability  
Debtor v. U.S.Dept of Education (Eckert ) and Callahan, Trustee \*\*  
\*\*9/19 order dismissed trustee as party; court consented to hearing Abg AP in Roanoke